ORIGINAL



1

BEFORE THE ARIZONA CORPORATION

2

3

4

5

COMMISSIONERS

GARY PIERCE - Chairman BOB STUMP

SANDRA D. KENNEDY

PAUL NEWMAN BRENDA BURNS

6

In the matter of:

7 | 1 8 | i

10

11

12

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

ANDREW C. MENICHINO, a married individual;

a Pennsylvania Corporation; and

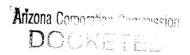
ATLANTIC LEXUS, LTD., a Turks and Caicos Corporation;

Respondents.

7012 MAY -7 P 2: 44

DOCKET COMMISSION

DOCKET NO. S-20839A-12-0083



MAY 0 7 2012



13 BY THE COMMISSION:

On March 5, 2012, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against Andrew C. Menichino, Innovative Construction, Inc., a Pennsylvania Corporation ("ICI"), and Atlantic Lexus, Ltd., a Turks and Caicos Corporation ("ALL"), (collectively "Respondents"), in which the Division alleged multiple violations of the Arizona Securities Act ("Act") in connection with the offer and sale of securities in the form of notes or investment contracts.

The Respondents were duly served with copies of the Notice.

On April 6, 2012, Respondent Andrew C. Menichino filed a request for hearing in this matter.

On April 11, 20121, by Procedural Order, a pre-hearing conference was scheduled on May 16, 2012.

On May 4, 2012, Respondent Menichino filed a request to continue the pre-hearing conference for approximately 30 to 45 days to secure counsel to represent him in the proceeding. The Division has no objections to this request.

Accordingly, Mr. Menichino's request should be granted.

IT IS THEREFORE ORDERED the pre-hearing conference scheduled on May 16, 2012,

shall be continued to June 21, 2012, at 10:00 a.m., at the Commission's offices, 1200 West 1 2 Washington Street, Hearing Room No. 1, Phoenix, Arizona. IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized 3 Communications) is in effect and shall remain in effect until the Commission's Decision in this 4 matter is final and non-appealable. 5 IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules 6 7 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to the practice of law and admission 8 pro hac vice. 9 IT IS FURTHER ORDERED that withdrawal or representation must be made in compliance with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the 10 Rules of the Arizona Supreme Court). Representation before the Commission includes appearances 11 at all hearings and procedural conferences, as well as all Open Meetings for which the matter is 12 scheduled for discussion, unless counsel has previously been granted permission to withdraw by the 13 14 Administrative Law Judge or the Commission. 15 IT IS FURTHER ORDERED that the Presiding Administrative Law Judge may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by 16 17 ruling at hearing. day of May, 2012. 18 DATED this 19 20 21 MARC E. STERN ADMINISTRATIVE LAW JUDGE 22 Copies of the foregoing mailed/delivered 23 this The day of May, 2012 to: 24 Andrew C. Menichino ARIZONA REPORTING SERVICE, INC. 3 Timberwood Drive 2200 North Central Avenue, Suite 502 Greenville, PA 16125 Phoenix, AZ 85004-1481 25 Matt Neubert, Director 26 Securities Division ARIZONA CORPORATION COMMISSION 27 1300 West Washington Street Phoenix, AZ 85007

Secretary/to Marc E. Stern

28